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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,491	01/10/2001	Aaron A. McBride	10559/323001/P9684	9330
20985	7590	07/21/2004	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			HAMILTON, MONPLAISIR G	
			ART UNIT	PAPER NUMBER
			2135	
DATE MAILED: 07/21/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/758,491	MCBRIDE ET AL.	
Examiner	Art Unit		
Monplaisir G Hamilton	2135		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 29 April 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-41 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-31 and 37-41 is/are allowed.

6) Claim(s) 3,32,33 and 35-36 is/are rejected.

7) Claim(s) 34 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date .
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. 14.
5) Notice of Informal Patent Application (PTO-152)
6) Other: .

DETAILED ACTION

1. The following is a proposed amendment that was submitted by applicant's representative to place the case in condition for allowance. After carefully considering the scope of the claims, claims 32 and 34-38 were deemed not in condition for allowance. Examiner attempted to contact applicant's representative to notify applicant of newly found art. Applicant's representative was not available to discuss the prior art, therefore a rejection of these claims is attached.

[Proposed amendment received from applicant's representative as requested by examiner]:

1. (Currently Amended) A method comprising:
receiving modified data that is modified from data fields of a source version of a collection of data and receiving unmodified data of the source version of the collection of data, the unmodified data having data fields;
providing current data of a current version of the collection of data, the current data having data fields; and
comparing the received unmodified data with the current data to determine if data fields of the received unmodified data differ from corresponding data fields of the current data; and
if at least one of the data fields of the received unmodified data differs from the corresponding data field of the current data, then at a machine, both (1) updating at least one of the data fields of the received unmodified data to include the current data, and (2) updating at

~~least one of the data fields of the received unmodified data to include the modified data, and with respect to at least some of the data fields of the current data that are determined to be different from corresponding data fields of the unmodified data, identifying at least some of these data fields of the current data as having temporally changing data.~~

2. (Original) The method of claim 1 further comprising transmitting the modified data to a location having access to the current data.

3. (Currently Amended) The method of claim 1, ~~further comprising: in which at least one data field of the current data that is determined to be different from the corresponding enabling verification of the modified data if the data fields field of the received unmodified data comprises temporally changing data, the method further comprising:~~

~~refraining from including in the updated received unmodified data at least one differ from the data fields field of the current data.~~

4. (Currently Amended) The method of claim 3, 1, further comprising:
receiving verification of the modified data and updating the data fields of the current version of the collection of data to including include the modified data in the current data.

5. (Original) The method of claim 1 in which the collection of data includes a web page.

6. (Previously Presented) The method of claim 1 in which the unmodified data includes hidden data.

7. (Currently Amended) An article comprising:

a machine-readable medium which stores machine-executable instructions, the instructions causing a machine to:

receive modified data that is modified from data fields of a source version of a collection of data and receive unmodified data of the source version of the collection of data, the unmodified data having data fields;

provide current data of a current version of the collection of data, the current data having data fields;

compare the received unmodified data with the current data to determine if the data fields of the received unmodified data differ from corresponding data fields of the current data; and if at least one of the data fields of the received unmodified data differs from the corresponding data field of the current data, then at the machine, both (1) update at least one of the data fields of the received unmodified data to include the current data, and (2) update at least one of the data fields of the received unmodified data to include the modified data, and with respect to at least some of the data fields of the current data that are determined to be different from corresponding data fields of the unmodified data, identifying at least some of these data fields of the current data as having temporally changing data.

8. (Original) The article of claim 7 further causing a machine to transmit the modified data to a location having access to the current data.
9. (Currently Amended) The article of claim 7 in which at least one data field of the current data that is determined to be different from the corresponding data field of the received unmodified data comprises temporally changing data, the article further causing a machine to refrain from including in the updated received unmodified data at least one enable verification of the modified data if the data fields of the unmodified data differ from the data fields field of the current data.
10. (Currently Amended) The article of claim 9 7, further causing a machine to receive verification of the modified data and update the data fields of the current version of the collection of data to include the modified data in the current data.
11. (Original) The article of claim 7 in which the collection of data includes a web page.
12. (Previously Presented) The article of claim 7 in which the unmodified data includes hidden data.
13. (Currently Amended) A system comprising:
 - a device configured to communicate with a network; and
 - a mechanism accessible by the device and configured to

receive a web page across the network from a user including original data and modified data that is modified from the original data, the original data and the modified data having data fields,

compare the received original data with current data included in a current version of the web page to determine if data fields of the received original data differ from corresponding data fields of the current data: and
if at least one of the data fields of the received original data differs from the corresponding data field of the current data, then the mechanism is configured to both (1) update at least one of the data fields of the received original data to include the current data, and (2) update at least one of the data fields of the received original data to include the modified data ;
~~and with respect to at least some of the data fields of the current data that are determined to be different from corresponding data fields of the unmodified data, identifying at least some of these data fields of the current data as having temporally changing data.~~

14. (Original) The system of claim 13 in which the mechanism is also configured to transmit the web page including the original data to the user.

15. (Original) The system of claim 13 in which the mechanism is also configured to transmit the current version of the web page to the user.

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16. (Currently Amended) The system of claim 13, in which the mechanism is also configured to enable verification of the modified data if the data fields of the received original data differ from the data fields of the current data.

17. (previously Presented) The system of claim 13 in which the mechanism is also configured to include the modified data in the current data after the modified data has been verified by a user.

18. (Currently Amended) A method comprising:

transmitting a web page including hidden data to a user;
receiving a web page from the user, the web page including the hidden data and data that is modified from the hidden data, the hidden data and the modified data having data fields;
comparing the received hidden data with current data included in a current version of the web page to determine if data fields of the received hidden data differ from corresponding data fields of the current data; and

if at least one of the data fields of the received hidden data differs from the corresponding data field of the current data, then at a machine, both (1) update at least one of the data fields of the received unmodified data to include the current data, and (2) update at least one of the data fields of the received unmodified data to include the modified data, and with respect to at least some of the data fields of the current data that are determined to be different from corresponding data fields of the unmodified data, identifying at least some of these data fields of the current data as having temporally changing data.

19. (Original) The method of claim 18 further comprising transmitting the current version of the web page to the user.

20. (Currently Amended) The method of claim 18, further comprising:
enabling verification of the modified data by if at least one of the data fields of the received hidden data ~~differ~~ differs from the corresponding data fields of the current data.

21 (Previously Presented) The method of claim 18 further comprising including the modified data in the current version of the web page after receiving verification of the current version of the web page.

22. (Previously Presented) The method of claim 1, further comprising taking an action with respect to the modified data.

23. (Previously Presented) The method of claim 22, wherein the action comprises including the modified data with the current data.

24. (Previously Presented) The article of claim 7, further causing a machine to take an action with respect to the modified data.

25. (Previously Presented) The article of claim 24, wherein the action comprises including the modified data with the current data.

26. (Previously Presented) The system of claim 13, in which the mechanism is also configured to take an action with respect to the modified data.
27. (Previously Presented) The system of claim 26, wherein the action comprises including the modified data with the current data.
28. (Currently Amended) The system of claim 16, in which the mechanism is configured to enable wherein enabling verification includes by:
 - inserting the modified data into the current version of the web page;
 - noting the differences between the received original data and the current data on the current version of the web page;
 - transmitting the current version of the web page to a user, and
 - receiving verification of the current version of the web page from the user.
29. (Previously Presented) The method of claim 18, further comprising taking an action with respect to the modified data.
30. (Previously Presented) The method of claim 29, wherein the action comprises including the modified data with the current data.
31. (Currently Amended) The method of claim 20, wherein enabling verification includes inserting the modified data into the current version of the web page;

noting the differences between the received original data and the current data on the current version of the web page;

transmitting the current version of the web page to a user, and receiving verification of the current version of the web page from the user.

32. (Currently Amended) A method comprising:

comparing data fields of a first set of data with data fields of a second set of data to determine if the data fields of the first set of data differ from the data fields of the second set of data; and

based upon the results of the comparison, at a machine, both (1) updating at least one of the data fields of the first set of data to include the second set of data, and (2) updating at least one of the data fields of the first set of data to include a third set of data, and with respect to at least some of the data fields of the current data that are determined to be different from corresponding data fields of the unmodified data, identifying at least some of these data fields of the current data as having temporally changing data.

33. (Currently Amended) The method of claim 32, further comprising: taking an action with respect to data fields of a in which the third set of data includes data that is modified from the first set of data, based upon the results of comparison

34. (Currently Amended) The method of claim 33 32, further comprising: merging wherein

the third set of data is merged with the second set of data if the differences between the data fields of the first set of data and the data fields of the second set of data are based upon temporally changing data.

35. (New) The method of claim 32, further comprising:

enabling verification of the updated third set of data prior to taking an action.

36. (New) The method of claim 35, wherein the action comprises including the third set of data with the second set of data.

37. (New) The method of claim 1, further comprising: enabling verification of the modified data.

38. (New) The article of claim 7, further causing a machine to enable verification of the modified data

39. (New) A method comprising:

receiving modified data that is modified from data fields of a source version of a collection of data and receiving unmodified data of the source version of the collection of data, the a modified data having data fields;

providing current data of a current version of the collection of data, the current data having data fields;

comparing the received unmodified data with the current data to determine if data fields of the received unmodified data differ from corresponding data fields of the current data;

if at least one of the data fields of the received unmodified data differs from the corresponding data field of the current data, updating at least one of the data fields of the received unmodified data to include the current data and updating at least one of the data fields of the received unmodified data to include the modified data; and

if at least one data field of the current data that is determined to be different from the corresponding data field of the received unmodified data comprises temporally changing data, refraining from including in the updated received unmodified data at least one data field of the current data.

40. (New) An article comprising:

a machine-readable medium which stores machine-executable instructions, the instructions causing a machine to; receive modified data that is modified from data fields of a source version of a collection of data and

receive unmodified data of the source version of the collection of data, the unmodified data having data fields;

provide current data of a current version of the collection of data, the current data having data fields;

compare the received unmodified data with the current data to determine if data fields of the received unmodified data differ from corresponding data fields of the current data;

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if at least one of the data fields of the received unmodified data differs from the corresponding data field of the current data, updating at least one of the data fields of the received unmodified data to include the current data and updating at least one of the data fields of the received unmodified data to include the modified data; and

if at least one data field of the current data that is determined to be different from the corresponding data field of the received unmodified data comprises temporally changing data, refraining from including in the updated received unmodified data at least one data field of the current data.

41. (New) A system comprising:

a device configured to communicate with a network; and

a mechanism accessible by the device and configured to:

receive modified data that is modified from data fields of a source version of a collection of data and receive unmodified data of the source version of the collection of data, the unmodified data having data fields;

provide current data of a current version of the collection of data, the current data having data fields;

compare the received unmodified data with the current data to determine if data fields of the received unmodified data differ from corresponding data fields of the current data;

if at least one of the data fields of the received unmodified data differs from the corresponding data field of the current data, updating at least one of the data fields of the

received unmodified data to include the current data and updating at least one of the data fields of the received unmodified data to include the modified data; and if at least one data field of the current data that is determined to be different from the corresponding data field of the received unmodified data comprises temporally changing data, refraining from including in the updated received unmodified data at least one data field of the current data.

Allowance [Referring to Proposed Claims]

2. The prior art or record does not fairly teach or suggest the limitations of proposed Claims 1-31 and 37-41.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 32, 33 and 35-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Bass et al, (US 5,870,733).

Referring to Claim 32:

Bass discloses a method comprising:

comparing data fields of a first set of data with data fields of a second set of data to determine if the data fields of the first set of data differ from the data fields of the second set of data (col 7, lines 55-65); and

based upon the results of the comparison, at a machine, both (1) updating at least one of the data fields of the first set of data to include the second set of data, and (2) updating at least one of the data fields of the first set of data to include a third set of data (col 14, lines 35-45).

Referring to Claim 33:

Bass discloses the limitations of Claim 32 above. Bass further discloses in which the third set of data includes data that is modified from the first set of data (col 10, lines 5-15; col 14, lines 20-35).

Referring to Claim 35:

Bass discloses the limitations of Claim 32 above. Bass further discloses enabling verification of the updated third set of data prior to taking an action (col 8, lines 40-55).

Referring to Claim 36:

Bass discloses the limitations of Claim 32 above. Bass further discloses wherein the action comprises including the third set of data with the second set of data (col 14, lines 5-15; 30-50).

Allowable Subject Matter

4. Claim 34 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is (703) 305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monplaisir Hamilton



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